

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Civil File No. 04-4818 MJD/JGL

SCOTT MALCOLM and TIM MCGOUGH, as Trustees of  
the Carpenters & Joiners Welfare Fund, Twin City  
Carpenters Pension Master Trust Fund, Carpenters  
and Joiners Apprenticeship and Journeymen Training  
Trust Fund, and Twin City Carpenters Vacation Fund;  
and each of their successors,

Plaintiffs,  
vs.  
**ORDER FOR  
MONEY JUDGMENT**  
WEATHERIZATION RESEARCH AND PRODUCTION, INC.,  
Defendant.

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This matter was originally heard before the undersigned on the 27<sup>th</sup> day of April, 2005, upon motion by the Plaintiffs for a Default Order. Amanda R. Cefalu of McGrann Shea Anderson Carnival Straughn & Lamb, Chartered, appeared for and on behalf of the Plaintiffs. There was no appearance on behalf of the Defendant.

On April 27, 2005, the Court entered an Order for Default, and ordered Defendant to submit the fringe fund report forms for the months of October, 2004, December, 2004, January, 2005, February, 2005, and March, 2005, and to pay the fringe benefit contributions disclosed to be due. The Order further provided that when the Defendant submitted the reports, if it failed to pay the fringe benefit contributions due, Plaintiffs were entitled to file a motion for judgment, supported by an affidavit setting forth the amounts due, and judgment was to be entered ten days after service of

the motion, without an additional hearing (including past amounts due for the months of August, 2004, September, 2004, and November, 2004).

This matter is now before the Court upon motion by the Plaintiffs for a money judgment. Defendant has been provided ten days notice of this motion.

Plaintiffs have submitted a supplemental affidavit from James F. Wilson, identifying the amounts due and testifying as to the non-payment of the fringe benefit contributions. Plaintiffs also have submitted an affidavit of counsel identifying the attorney fees and costs incurred. Therefore,

**IT IS HEREBY ORDERED:**

1. That in accordance with all of the previous filings and this Court's Order dated April 27, 2005; Plaintiffs shall have judgment against Defendant Weatherization Research and Production, Inc. in the amount of \$73,735.71.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: October 14, 2005

BY THE COURT

s/ Michael J. Davis

The Honorable Michael J. Davis

United Stated District Court Judge

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